

**United States District Court****for the****Eastern District of Washington**FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON**Dec 10, 2024**

SEAN F. MCAVOY, CLERK

**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Duane Edward Martin

Case Number: 0980 1:19CR02025-SAB-1

Address of Offender: [REDACTED] Yakima, Washington 98902

Name of Sentencing Judicial Officer: The Honorable Stanley A. Bastian, Chief U.S. District Judge

Date of Original Sentence: November 20, 2019

Original Offense: Felon in Possession of Firearm and Ammunition, 18 U.S.C. §§ 922(g)(1) and 942(a)(2)

Original Sentence: Prison - 33 months  
TSR - 36 months

Type of Supervision: Supervised Release

Revocation Sentence: Prison - 4 months  
(January 17, 2023) TSR - 32 month

Asst. U.S. Attorney: Michael Murphy

Date Supervision Commenced: April 20, 2023

Defense Attorney: Nick Mirr

Date Supervision Expires: December 19, 2025

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**PETITIONING THE COURT**

To incorporate the violations contained in this petition in future proceedings with the violations previously reported to the Court on October 18, 2024.

On April 21, 2023, Mr. Martin reviewed and signed his judgment and sentence acknowledging his understanding of his supervised release conditions.

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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**Special Condition #5:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

**Supporting Evidence:** Mr. Martin is considered to be in violation of his supervised release by consuming controlled substances, fentanyl and methamphetamine, on or about December 3, 2024.

On December 3, 2024, staff at James Oldham Treatment Center (JOTC) contacted this officer and reported Mr. Martin was being discharged from the inpatient treatment facility for consuming controlled substances. Mr. Martin provided a positive drug test for the

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presence of methamphetamine and fentanyl. This officer spoke with Mr. Martin who admitted to consuming controlled substances and reported he found the drugs in his property at JOTC.

4 **Standard Condition #2:** After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.

**Supporting Evidence:** Mr. Martin is considered to be in violation of his supervised release by failing to report in person to his probation officer on December 4 and 5, 2024.

On December 3, 2024, this officer instructed Mr. Martin to report in person to the U.S. Probation Office in Yakima, Washington, at 9 a.m. the following day. Mr. Martin failed to report as directed on December 4, 2024.

On December 4, 2024, this officer spoke with Mr. Martin on the telephone and directed him to report to in person to the U.S. Probation Office in Yakima, at 11 a.m. on December 5, 2024. Mr. Martin was informed a warrant was issued for his arrest and he needed to self-surrender. Mr. Martin failed to report by 11 a.m.; however, he kept in contact with this officer and stated he would self-surrender by 4 p.m. on December 5, 2024. Mr. Martin failed to report on December 5, 2024, before the office closed. He called this officer after 5 p.m. and plans were made for Mr. Martin to self-surrender to the Yakima County Jail (Y CJ) on December 6, 2024, at 9 a.m.

Mr. Martin self-surrendered to the Y CJ on December 6, 2024, at approximately 4 p.m.

The U.S. Probation Office respectfully recommends the Court to incorporate the violations contained in this petition in future proceedings with the violations previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: December 10, 2024

s/Phil Casey

Phil Casey

U.S. Probation Officer

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## THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

12/10/2024

Date